

93140252

SAN JOAQUIN COUNTY 2561 3
RECORDER'S OFFICE
JAMES M. JOHNSTONE

CITY OF LODI

CITY HALL, 221 W. PINE ST.
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910

93 NOV 30 AM 11:33

RECORDED AT REQUEST OF
City of Lodi
FEE 10-1

RESOLUTION NO. 93-145

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A RESOLUTION/ORDER OF THE LODI CITY COUNCIL
VACATING THE ALLEY NORTH OF EAST LODI AVENUE
FROM CHEROKEE LANE TO 280 FEET WEST OF CHEROKEE LANE

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WHEREAS, this City Council acting in accordance with provisions of Part III of Division 9 of the Streets and Highways Code of this State, did on the 1st day of September, 1993 pass and adopt a Resolution of Intention No. 93-108 therein declaring the intention of said City Council to vacate that portion of the alley north of East Lodi Avenue, from Cherokee Lane to 280 feet west of Cherokee Lane, Lodi, California, County of San Joaquin, State of California, reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley, and more particularly described as follows, to wit:

The alley north of East Lodi Avenue, from Cherokee Lane to
280 feet west of Cherokee Lane;

WHEREAS, said notice of said intended vacation was regularly given by publication and by posting, both in time, form and manner as required by law as is evidenced by affidavits on file and on record in the office of the City Clerk of the City of Lodi; and

WHEREAS, in accordance with the provisions stated herein and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before the City Council in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, beginning at 7:00 p.m. on Wednesday, October 6, 1993, where and when any person interested in or objecting to said vacation could appear and be heard in relation thereto; and

WHEREAS, at that time and place, a public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, upon unanimous motion action of the City Council, the public hearing was continued to the November 17, 1993 City Council meeting so that a possible solution may be reached, and the Council further directed that a title search be done on the property; and

WHEREAS, on November 17, 1993, a continued noticed public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, at the November 17, 1993 City Council meeting, from the evidence submitted, the City Council of the City of Lodi did determine that said portion of said alley is unnecessary for present or future public use and did so find and declare; and

WHEREAS, the Planning Commission did find that the subject vacation was consistent with the General Plan of the City of Lodi;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the findings and under the authority of Section 8323 of the Streets and Highways Code of the State of California, that there is hereby abandoned that portion of the alley north of East Lodi Avenue, from Cherokee Lane to 280 feet West of Cherokee Lane, Lodi, California, and more particularly described as follows:

The alley located north of East Lodi Avenue, from Cherokee Lane to 280 feet west of Cherokee Lane, as shown on Exhibit A attached hereto.

Reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

Dated: November 17, 1993


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I hereby certify that the foregoing RESOLUTION/ORDER VACATING that portion of the alley north of East Lodi Avenue, from Cherokee Lane to 280 feet west of Cherokee Lane, Lodi, California, with the conditions stated, was passed and adopted by the Lodi City Council in a regular meeting held November 17, 1993 by the following vote:

Ayes: Council Members - Davenport, Mann, Sieglock, Snider and Pennino
(Mayor)

Noes: Council Members - None

Absent: Council Members - None

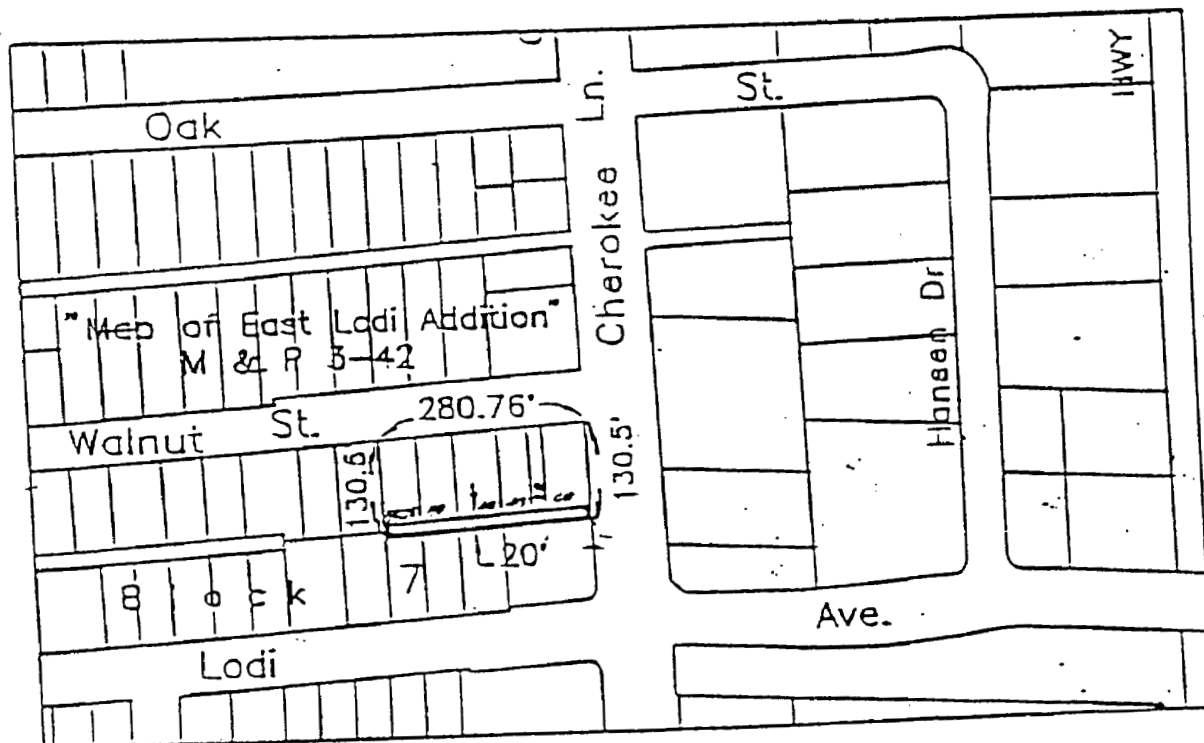

Jennifer M. Perrin
City Clerk



CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT



N.T.S.

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